

# CIVIL COVER SHEET

Engelmayer  
Foy

**DEFENDANTS**  
Appellees: Rescap Borrower Claims Trust

**ATTORNEYS (IF KNOWN)**  
Morrison & Foerster  
250 West 55th Street  
New York, New York 10019  
212-468-8000

**Truth in Lending; 15 U.S.C. 1635 1602 et seq.; 1635; 1640**

If yes, was this case Vol. ☐ Invol. ☐ Dismissed: No ☐ Yes ☐ If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

(PLACE AN [x] IN ONE BOX ONLY)

**NATURE OF SUIT**

### ACTIONS UNDER STATUTES

## OTHER STATUTES

- [ 375 FALSE CLAIMS
- [ 376 QUI TAM
- [ 400 STATE REAPPOINTMENT
- [ 410 ANTI TRUST
- [ 430 BANKS & BANKING
- [ 450 COMMERCE
- [ 460 DEPORTATION
- [ 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
- [ 480 CONSUMER CREDIT
- [ 490 CABLE/SATELLITE TV
- [ 850 SECURITIES/COMMODITIES/EXCHANGE
- [X] 990 OTHER STATUTORY ACTIONS
- [ 999 OTHER STATUTORY ACTS

☐ 898 ARBITRATION  
☐ 899 ADMINISTRATIVE  
PROCEDURE ACT/REVIEW  
APPEAL OF AGENCY DECISIONS  
☐ 1950 CONSTITUTIONALITY  
STATE STATUTES

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?  
IF SO, STATE:

**NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).**

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

- ☐ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented ☒ b. At least one party is pro se.

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☒ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[ ]	[ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[ ]	[ ]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[ ]	[ ]
CITIZEN OF ANOTHER STATE	[ ]	[ ]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ]	[ ]	FOREIGN NATION	[ ]	[ ]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Appellants:

Patricia J. McNerney and Susan M. Gray  
22255 Center Ridge Road, Suite 210  
Rocky River, OH 44116

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Appellees:

Rescap Borrowers Claims Trust  
250 West 55th St.  
New York, New York 10019

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN

(DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT)

DATE 3/11/16

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

☒ NO

☐ YES (DATE ADMITTED Mo. \_\_\_\_\_ Yr. \_\_\_\_\_)  
Attorney Bar Code #

RECEIPT # /s/Susan M. Gray 0062356-Ohio

Rec'd / Trans. # 11176496

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)